

PART VIII EMPLOYMENT SERVICES AND VOLUNTARY QUIT/WORK REDUCTION

<u>CHAPTER</u>	<u>SUBJECT</u>	<u>PAGE</u>
A.	WORK REGISTRATION AND FOOD STAMP EMPLOYMENT AND TRAINING PROGRAM	1-2
1.	Exemption from Work Registration	2-4
2.	Frequency of Registration for Work	4-5
3.	Method of Registration for Work	5-6
4.	Noncompliance with Work Registration and Employment Services Sanctions	6-10
B.	VOLUNTARY QUIT/WORK REDUCTION	10
1.	Exemptions from Voluntary Quit/Work Reduction Provisions	10-11
2.	Determination of Voluntary Quit/Work Reduction	11-12
3.	Voluntary Quit/Work Reduction at Application	12
4.	Voluntary Quit/Work Reduction for Participating Households	12-14
5.	Changes in Household Composition after a Sanction Has Been Determined	14
6.	Ending Voluntary Quit/Work Reduction Disqualification	15-16
7.	Good Cause	16-18
8.	Verification	18
C.	Sanction Periods for Noncompliance	19

A. WORK REGISTRATION AND FOOD STAMP EMPLOYMENT AND TRAINING PROGRAM

Virginia operates the Food Stamp Employment and Training Program (FSET) in several localities. The Eligibility Worker is responsible for registering mandatory participants and volunteers, and imposing sanctions when appropriate to do so.

In agencies where there is no FSET program, the eligibility worker shall evaluate and record each household member's work registration status based on the exemption criteria in [Part VIII.A.1](#). This information must be recorded on case entry documents for statistical purposes. The information must be reviewed and updated as needed at recertification.

For agencies operating FSET, the provisions which follow in the rest of [Part VIII.A](#) apply.

Additionally for FSET agencies, the same work-related requirements of the Virginia Initiative for Employment not Welfare Program (VIEW) for TANF recipients must be complied with for food stamps for TANF recipients who also receive food stamps. Food stamp sanctions for noncompliance however may not be imposed against persons who would otherwise be exempted from food stamp work registration for any reason other than being an Employment Services registrant ([Part VIII.A.1.c](#)). In addition, sanctions for noncompliance may not exceed the period described at [Part VIII.C](#).

Households jointly processed for Food Stamps and SSI shall have the work registration requirement waived until the household member is determined eligible for SSI and thereby becomes exempt from work registration; or, the household member is determined ineligible for SSI. The determination of the household member's work registration status would then be made no later than at the next regularly scheduled recertification.

Registrants who move out of a locality must re-register in the new locality.

If the eligibility worker has required an individual to register for work and the agency employment and training (E & T) worker disagrees, the E & T worker may request that the EW reconsider its determination. The EW must respond to such a request within 30 days. The EW's response to such a request will be accepted by the E & T worker as final.

Work registrants shall participate in the Employment and Training Program if assigned by the agency to the E & T Program; respond to a request from the local agency for supplemental information regarding employment status or availability to work; report to an employer to whom referred by the Employment and Training Program if the potential employment meets the suitability requirements described in [Part VIII.B.7.i](#); and, accept a bona fide offer of suitable employment to which referred by the Employment and

Training Program at a wage not less than the higher of the applicable State or federal minimum wage. Evaluations of compliance with these items are made by the E & T worker, not the eligibility worker.

1. Exemption from Work Registration (7 CFR 273.7(b))

The following persons are exempt from the work registration requirement:

- a. Any household member who has not attained his/her 16th birthday or who has attained the age of 60.
- b. Any household member 16 or 17 years old who is not the head of the household as defined in [Part VI.D](#).
- c. Employment Service Registrants. This exemption only applies to TANF recipients referred to the agency's Employment Services Program, and to GR recipients not exempt from GR work registration, but who live in a locality that does not operate FSET and are therefore registered with ESP. Accept the client's statement unless the information is questionable. Verification of employment services referral or registration can be obtained from the TANF or GR eligibility case file if necessary.
- d. A parent/caretaker of a child under 6. Accept the client's statement unless the information given is questionable. The registration requirement must be fulfilled at the next scheduled recertification following the child's 6th birthday, unless otherwise exempt.

In two parent situations, only one parent may receive the exemption for their children. If more than one family unit exists in the food stamp household, only one adult per family unit may receive the exemption.

When non-siblings exist in the food stamp household, the EW must determine through client statement which adults in the home exert parental control over which children for purposes of determining the exemption.

Examples

- 1) The household consists of a married couple and their 4 year old son. Mr. X is disabled and receiving SSI. He is exempt based on his disability. Mrs. X is exempt on the basis of the child under 6.

- 2) The household consists of a married couple and their two children, ages 2 and 4. Either parent is exempt on the basis of the children under 6. The other parent must be registered for work if not otherwise exempt.
- 3) The household consists of two sisters, each of whom has a child under 6. Each sister is exempt.
- e. An attendant for an incapacitated person. The incapacitated person is not required to be a household member. Accept the client's statement unless the information given is questionable.
- f. Applicants for and recipients of unemployment compensation in Virginia. Since persons who apply for unemployment compensation in Virginia (for Virginia benefits) are automatically registered for Food Stamp purposes no special registration is necessary with one exception. Persons on strike who have applied for, but are not receiving unemployment compensation are not registered for work by the VEC and, therefore, must be registered by the local agency. If the exemption claimed is questionable, the EW is responsible for verifying the exemption with the appropriate VEC Office. Persons who have applied for unemployment compensation in another state and are not yet receiving the benefit, however, are not automatically exempt from work registration. The EW must contact the state in which application was made to find out if the person was registered for work at the time of application for unemployment compensation. Persons who have filed an interstate claim in Virginia against the state they have recently left are also exempt.
- g. Regular participants in a drug or alcoholic treatment and rehabilitation program. Accept the client's statement unless the information given is questionable.
- h. A person who is employed for cash wages, in any amount, or self-employed and working a minimum of 30 hours per week. This shall include migrant and seasonal farm workers who are under contract or similar agreement with an employer or crew chief to begin employment within 30 days. In determining whether an applicant is working a minimum of 30 hours per week, fluctuating work hours may be averaged. Since this exemption is tied to a weekly figure, the period for averaging should also be tied to a weekly figure. The number of weeks to be averaged cannot exceed either the length of the certification period or the twelve-month work registration period. The average may be based on any number

of weeks less than either of these two periods which will allow a reasonable approximation of the number of hours worked per week. Accept the client's statement unless the information given is questionable.

- i. Persons working less than 30 hours per week, but earning at least the equivalent of the federal minimum wage multiplied by 30 hours.
- j. Persons who are obviously physically or mentally incapacitated. When disability is not obvious, proof of the disability may be established by the approval for or receipt of disability benefits. See Definitions. Also, approval for or receipt of benefits such as TANF, GR, Medicaid, or Workers Compensation based on a disability which has been verified by that program will be considered as proof of disability. Other individuals claiming a disability exemption must substantiate such disability by a medical statement **from a licensed medical provider** or licensed or certified psychologist or by approval for or receipt of benefits upon verification of same, such as an insurance company.
- k. A student enrolled at least half-time in an institution of higher education who meets the special eligibility criteria of Part VII.E.
- l. Other persons enrolled at least half-time in any recognized school or training program, including summer school.

NOTE: A placement by the Food Stamp Employment and Training Program does not exempt a person from work registration.

2. Frequency of Registration for Work (7 CFR 273.7(c))

Each person required to register shall do so at the time of application or reapplication, and every twelve months thereafter. New household members, added during the certification period, must be registered at recertification.

The EW must explain to the applicant the work registration requirements, an individual's rights and responsibilities, and the consequences of failure to comply with the registration process and work requirements.

The local agency must provide a work registration form to the applicant for each household member required to register and permit the applicant to complete the form for those members. Household members are considered to have registered when a completed form for that individual is received by the local agency.

If a household member **who is subject to the time-limited benefits of Part XV** loses his exemption status within the certification period because of a change in **the number of work hours**, that household member must register for work when the change is reported. If the change is reported in person by the household member required to register, the person must complete the work registration form at the time the change is reported, unless this is not possible, in which case the household member must return the form to the local agency within 10 days. If the change is reported in person by a household member other than the one required to register, the person reporting the change may complete the form at the time the change is being reported or deliver the form to the member required to register.

If the change is reported by phone or through the mail, the local agency is responsible for providing the participant with a work registration form. Participants will be responsible for returning the form to the agency within 10 calendar days from either the date the form was handed to the household member reporting the change in person, or the date the local agency mailed the form. If the household fails to return the form, the local agency must issue an Advance Notice of Proposed Action stating that either the household is being terminated or suspended, if the individual is the head of household or, that only the individual is being disqualified. The length of the disqualification period will be determined by the number of times an individual fails to comply with the requirements of Part VIII. See **Part VIII.C** for the disqualification periods.

Household members who lose their exemptions, due to a change in circumstances that is not subject to the reporting requirements of **Part XIV.A**, must register for work at the household's next recertification.

3. Method of Registration for Work

The method of registration will be accomplished as follows:

- a. Initial Application and Reapplication - complete an Employment Services Registration form for each nonexempt household member. The completed form is to be forwarded to the FSET worker within 5 days after the household is certified. A copy must be retained for the case file.

- b. Every twelve months thereafter - Complete an Employment Services Registration form for each nonexempt household member. The EW must forward the completed form to the FSET worker within 5 days after certification. A copy must be retained in the case file.
- c. Changes in Work Registration Information - The EW must submit the changes to the FSET worker within 30 days from the date the change becomes known to the EW. Such changes include informing the FSET worker that a client is no longer required to be registered.
- d. Recertification - At each recertification all household members must be evaluated to determine if the work registration exemption for the individual is still valid. Registration must occur if an individual is no longer exempted or if the 12-month prior registration period has ended. The exemption status must be revised if a different exemption exists.

4. Noncompliance with Work Registration and Employment Services Requirements (7 CFR 273.7(g))

- a. If an individual, other than the head of the household, as defined in [Part VI.D](#), fails, without good cause, to comply with work registration or employment and training requirements, that individual will be ineligible to participate in the Food Stamp Program. The individual will be disqualified and the income and resources handled accordingly as per the related policies of [Part VI.C.2](#) and [Part XII.E](#) of this Manual.

If the head of the household fails to comply, the entire household is ineligible to participate.

- b. Ineligibility of the individual or entire household will continue until:
 - 1) the individual becomes exempt from work registration, other than through the exemptions in [Part VIII.A.1.c](#) (PA ESP registrants) or [Part VIII.A.1.f](#) (unemployment compensation);
 - 2) the individual is no longer a member of the household although any new household containing the individual must be evaluated under [Part VIII.A.4.e](#) to determine whether a continuation of a sanction would be appropriate; or
 - 3) the sanction period expires, as outlined in [Part VIII.C](#).

A household determined to be ineligible due to failure of its head to comply with employment program provisions may reestablish eligibility if a new and eligible person joins the household as its head of household.

NOTE: The Food Stamp Employment and Training Program (FSET) does not operate statewide. The situation may occur where an individual or household disqualified for noncompliance with FSET moves to a locality with no FSET services. In such instances, the provisions of this section still apply except that compliance with the employment and training program requirements (item 1) will not be expected.

- c. Following the end of the disqualification period for noncompliance with the work registration or employment and training requirements, participation may resume if the disqualified household applies again, is determined eligible, and complies with the registration or employment and training requirements. If only the individual household member has been disqualified, the member must be added back to the household for the first month following the end of the disqualification period if there is compliance with the employment and training program requirements.
- d. With the exception of the situation where a household member refuses to register in the first place, it will be the responsibility of the E & T worker to determine whether the household has failed to comply and whether good cause exists, prior to informing the EW of a failure to comply. The E & T worker must also determine if compliance exists at the end of the sanction period or upon reapplication.

Within 10 days of receiving such notification from the E & T worker, the EW must send the household a sanction notice and inform the E & T worker when the notice is sent. The notice must state the act of noncompliance, the proposed period of disqualification and the fact that the household may reapply at the end of that period.

For households whose certification periods are not yet expiring, the Food Stamp Sanction Notice for Noncompliance with a Work Requirement must be sent such that a ten day advance notice period is provided. A joint Advance Notice of Proposed Action must be used however, if both public assistance and food stamp benefits are adversely affected. The sanction notice can

be attached to the Advance Notice to explain the information outlined in the paragraph above. The disqualification period will begin with the first month following the end of the advance notice period, unless a fair hearing is requested during the advance notice period.

For households whose certification periods are ending, where the disqualification will be effective the first of the month following the current certification period, the Food Stamp Sanction Notice for Noncompliance with a Work Requirement must be sent to inform the household of the disqualification.

A sanction notice must also be sent to the household in cases where eligibility is ending for a reason unrelated to the noncompliance, even if prior notification of closure for another reason had already been provided.

If a hearing is requested and benefits are continued and the agency action is ultimately sustained, the disqualification period will be imposed as soon as administratively possible following receipt of the hearing officer's decision. No further notification to the household is required.

Usually, an agency's failure to take negative action timely results in a situation where a claim for an overissuance must be filed. However, if the agency fails to send notification of the sanction in a timely manner, no claim is filed for the months the sanction should have been imposed. Rather, the sanction will be imposed when the notification is finally sent, following the guidelines for imposition described in the paragraphs above.

- e. If any household member who failed to comply joins another household and is the head of that household, then that entire new household will be ineligible for the remainder of the disqualification period.

If the member who failed to comply joins another household but is not the head of the household, the individual will be considered a disqualified household member under [Part VI.C.2](#).

- f. The local agency must determine whether good cause for any noncompliance exists. While this is primarily the responsibility of the E & T worker, the EW may need to report any new information to the E & T worker prior to imposing the appropriate sanction.

In determining if good cause exists, the agency must consider all information, including information submitted by the household member involved and the employer. Good cause shall include circumstances beyond the member's control, such as, but not limited to, illness, illness of another household member requiring the presence of the member, a household emergency or the unavailability of transportation.

- g. A household may contain a member who is exempt from Food Stamp work registration because **of registration through TANF or GR or as** an applicant or recipient of unemployment compensation (UC). If such a member fails to comply with an **employment program** requirement **for TANF or GR**, it shall be treated as though the member failed to comply with the corresponding food stamp requirements.

If a household member fails to comply with an UC requirement comparable to a food stamp registration or FSET requirement, it shall be treated as though the member failed to comply with corresponding food stamp requirements. The agency must first determine whether the UC requirement was comparable to one in the Food Stamp Program. Similarly, if there is a loss or denial of UC benefits, the local agency must determine whether the loss or denial was caused because a household member refused or failed, without good cause, to comply with a work requirement and, if so, whether the requirement was comparable to a work registration or employment and training requirement in the Food Stamp Program. The UC requirement will not be considered comparable if it places responsibilities on the household which exceeds those imposed by the food stamp work registration requirements.

The individual or entire household (if the individual who committed the violation is the head of the household) shall be disqualified unless good cause as described in [Part VIII.A.4.f](#) exists for ESP violations or comparable UC requirements. The local agency must provide the household with a Food Stamp Sanction Notice for **Noncompliance with a Work Requirement** within 10 days after learning of the household member's noncompliance with the UC or ESP requirement, and follow the other notification requirements described in [Part VIII.A.4.d](#).

A disqualified individual or household may resume participation in the Food Stamp Program if the conditions in [Part VIII.A.4.b.](#), [Part VIII.A.4. c.](#), or [Part VIII.A.4.e](#). are met.

The household or individual will not be disqualified from participation if the noncomplying member meets one of the work

registration exemptions listed in [Part VIII.A.1.](#), other than the exemptions for employment service program registrants or unemployment compensation applicants and recipients.

Example

A **TANF** mother with child age 4 is an **VIEW** registrant. She failed to complete a job search. However, she is exempt from food stamp work registration because she has a child under 6, so no food stamp sanction is imposed.

Household members who fail to comply with UC requirements **that are not comparable** will not cause the household to be disqualified but they will lose the exemption status as unemployment compensation applicants and recipients. They must register for work in the Food Stamp Program at the time the exemption status is lost, unless otherwise exempt. The registration form must be annotated to show the reason for registration before it is forwarded to the E & T worker.

B. VOLUNTARY QUIT AND WORK REDUCTION (7 CFR 273.7(n))

An individual who quits a job of 20 hours or more per week or who reduces the work effort so that less than 30 hours per week remain after the reduction is not eligible for food stamps unless the person is exempted from work registration requirements, as outlined in [Part VIII.A.1.](#), or unless good cause can be documented for the quit or reduction. If the person is the head of the household, as defined in [Part VI.D.](#), the entire household is ineligible for participation in the Food Stamp Program. The length of time the individual or household is ineligible will be determined by the number of previous violations for this Part that have been incurred by the individual. The disqualification periods are listed in [Part VIII.C.](#)

At the time of application, the local agency must explain to the applicant the consequences of a household member quitting a job or reducing the number of hours worked without good cause and of the consequences of a person joining the household as its head if that individual has voluntarily quit employment or reduced the work effort.

The Food Stamp Sanction Notice for **Noncompliance with a Work Requirement** contains the information required to be told to the household when a case is being denied or closed due to a sanction for voluntarily quitting or reducing employment without good cause.

1. Exemptions from Voluntary Quit and Work Reduction Provisions

Persons who are exempt from the work registration provisions in [Part VIII.A.1.](#) at the time of the quit or work reduction, with the

exception of those exempted because of **registration with Employment Services for TANF or GR and because** of employment ([Part VIII.A.1.\(c and h\)](#)), will be exempt from the voluntary quit and work reduction provisions.

For applicants, if the quit or work reduction occurred prior to the date of application, evaluate work registration on the date of application to determine whether the household is exempt from voluntary quit or work reduction provisions. If the quit or work reduction occurred after the date of application but before the case was processed, evaluate work registration status on the day of the quit or work reduction to determine whether the household is exempt from voluntary quit or work reduction provisions.

For participating households, evaluate the household member's work registration status on the day of the quit or work reduction to determine whether the household is exempt from voluntary quit or work reduction provisions.

2. Determination of Voluntary Quit or Work Reduction

When a household files an application for participation or when a participating household reports the loss of a source of income or reduced income, the local agency must determine whether any household member quit a job or purposefully reduced the number of hours worked.

a. Voluntary quit provisions apply if:

- 1) the employment involved 20 hours or more per week or provided weekly earnings at least equivalent to the federal minimum wage multiplied by 20 hours;
- 2) the quit occurred within 60 days prior to the date of application or any time thereafter; and
- 3) the quit was without good cause.

b. Work reduction provisions apply if:

- 1) the employment involved more than 30 hours per week;
- 2) fewer than 30 hours per week exist after the reduction;
- 3) the reduction occurred within 60 days prior to the date of application or any time afterwards; and
- 4) the reduction was without good cause.

Changes in employment status that result from ending a self-employment enterprise or resigning from a job at the demand of the employer do not count as voluntary quit for purposes of this chapter. Changes in employment status will also include situations in which renewal contracts are not offered or a decision is made not to reenlist in the military. Failure to accept a renewal offer of a contract with comparable terms will count as voluntary quit.

An employee of the federal, state or local government who participates in a strike against that government and is dismissed from the job because of participation in the strike, will be considered to have voluntarily quit the job without good cause.

If an individual quits a job, secures new employment at comparable wages or hours, and is then laid off, or through no fault of his own loses the new job, the earlier quit will not form the basis of a disqualification.

3. Voluntary Quit or Work Reduction at Application

Upon a determination that a household member voluntarily quit employment or reduced the work effort, the local agency must determine if the quit or reduction was for good cause, as defined in [Part VIII.A.4.](#) and [B.7.](#)

For an applicant household, if the quit or reduction was without good cause, the household's application must be denied and a sanction imposed in accordance with Part VIII.C. The sanction period will be from the date of the quit or work reduction. The local agency must provide the household with a *Notice of Action* to deny the application. The notice must inform the household of the proposed disqualification period, its right to reapply at the end of the disqualification period, and of its right to a fair hearing. For voluntary quits or work reductions that occur after the date of application but before the application is processed, the household may be eligible for benefits for the period of time prior to imposition of the sanction. See [Part XIII.D.2.](#) for information on prorating benefits in these situations.

An application filed in the last month of disqualification must be used for the denial of benefits in the remaining month of disqualification and for certification for any subsequent month(s), if all other eligibility criteria are met.

4. Voluntary Quit or Work Reduction for Participating Households (7 CFR 273.7(n)(1)(vi))

If the local agency determines that a member of a participating

household voluntarily quit a job or **voluntarily reduced the work effort** without good cause while participating in the program, or discovers a quit **or reduction** that occurred within 60 days prior to application for benefits or between application and certification, and the individual is not otherwise exempt from work registration at the time of the **action**, the individual or household will be disqualified. The local agency must provide the household with an Advance Notice of Proposed Action within 10 days after the determination of a quit or reduction. The notice must include the particular act of noncompliance committed, the proposed period of ineligibility, and it must specify that the household may reapply at the end of the disqualification period. The period of ineligibility shall be assigned in accordance with [Part VIII.C](#) and shall run continuously beginning with the first of the month after all normal procedures for taking adverse action have been followed.

If a voluntary quit **or work reduction** occurs in the last month of a certification period, or is discovered in the last month of the certification period, the procedure the agency follows depends on whether or not a recertification application is filed.

If a recertification application is filed by the end of the certification period, the household shall be denied or the individual will be disqualified beginning with the day after the certification period ends.

If the household does not apply for recertification by the end of the certification period, establish a claim for benefits received for up to the number of months for the penalty, beginning the first of the month after the month in which the quit **or reduction** occurred. If there are fewer than the number of months for the penalty from the first of the month after the quit **or work reduction** occurred to the end of the certification period, the claim is filed and the household remains ineligible for the balance of the disqualification period. If no claim is warranted, the household is ineligible for the number of months for the penalty, beginning with the first month following the end of the certification period.

Example

Certification period ends March 31. The agency discovers on March 4 that a quit or work reduction occurred January 22. This is the second violation incurred by the household member.

- a. A recertification is filed March 15. Deny the recertification for three months, from April through June.

12/96

VOLUME V, PART VIII, PAGE 14

- b. No recertification is filed by March 31.
Establish a claim beginning February 1, the
first of the month following the quit.

There are two months from February to March, the
last month of the certification period. Consider
the period of ineligibility to extend through April
to complete the three month period of
ineligibility.

Each household has a right to a fair hearing to appeal a termination
or reduction of benefits due to a determination that the household's
head or other household member voluntarily quit a job **or reduced the
work effort** without good cause. If the participating household
requests a hearing and receives continuation of benefits and the
local agency determination is upheld, the disqualification period
shall begin the first of the month after the hearing decision is
rendered.

- 5. Changes in Household Composition After a Sanction Has Been Determined
(7 CFR 273.7(n)(1)(vi))

The sanction will follow the individual who voluntarily quit or
reduced employment, if he/she leaves the household in which he/she
lived at the time of the quit **or reduction** and if the individual
joins another participating household, as its head, and the original
sanction period has not yet expired. The Advance Notice of Proposed
Action must be sent to close the case if the household is currently
certified. If the individual files an application alone or with
persons not already participating, and the original sanction period
has not yet expired, the application must be denied for the duration
of the original sanction period. The new household remains
ineligible for the remainder of the sanction period. If an
individual who voluntarily quit **or reduced the work effort** joins a
new household and is not its head, the **individual remains
disqualified for the balance of the sanction period.**

If a participating household reports the addition of a person who
quit a job within 60 days of the report, and that individual meets
the definition of the head of the household, voluntary quit is
evaluated.

6. Ending a Voluntary Quit or Work Reduction Disqualification (7 CFR 273.7(n)(5))

Following the end of the disqualification period a household may begin participation in the Program if it applies again and is determined eligible.

Eligibility may be reestablished during a disqualification period and the **individual or** household shall, if otherwise eligible, be permitted to resume participation if the member who caused the disqualification leaves the household. Eligibility may also be reestablished if the violator becomes exempt from the work registration requirements under [Part VIII.A.1.](#) except for PA ESP registration ([Part VIII.A.1.c.](#)) or application for or receipt of Unemployment Compensation ([Part VIII.A.1.f.](#)).

A household determined ineligible due to a voluntary quit may reestablish eligibility if a new and otherwise eligible member joins as its head, **provided the original head has left the household.**

If the member who caused the disqualification leaves the household or becomes exempt from work registration prior to the effective date of the case closure, or while an application is still pending, the agency must reestablish eligibility, without requiring another application, provided the household is otherwise eligible. For currently eligible households, the action to reestablish the case may be taken in the month following the effective date of the closure as long as the member left prior to the effective date.

Examples

- a. The head of household quit a job without good cause on May 2. The agency takes action to close the case effective May 31. On May 27 the household reports that the individual who quit the job has left the household. The case should be reestablished without requiring a new application.
- b. The head of household reduced the number of hours worked without good cause on May 2. On June 3, the household reports that the head left the household that morning. The household must reapply.

For pending applications, the application must be denied for the period of time the disqualification is appropriate, and certified from the date the disqualification can end.

For applications that have already been denied, a reapplication is needed.

If a sanctioned household splits into more than one household, the sanction will follow the member who caused the disqualification.

7. Good Cause (7 CFR 273.7(n)(3))

Good cause for leaving employment or should include, but should not be limited to the following, as well as the provisions of [Part VIII.A.4.f.](#):

- a. Discrimination by an employer based on age, race, sex, color, handicap, religious beliefs, national origin, or political beliefs;
- b. Work demands or conditions that render continued employment unreasonable, such as working without being paid on schedule;
- c. Enrollment of the **head of household or other individual required to register** at least half-time in any recognized school, training program, or institution of higher education that requires the **household member** to leave employment;
- d. Acceptance by any other household member of employment or enrollment at least half-time in any recognized school, training program, or institution of higher education in another county or similar political subdivision which requires the household to move and thereby requires the **head of household or other individual required to register** for work to leave employment;
- e. Resignations by persons under the age of 60 which are recognized by the employer as retirement;
- f. Acceptance of a bona fide offer of employment of 20 hours or more a week or in which the weekly earnings are equivalent to the federal minimum wage multiplied by 20 hours by the **head of household or other individual required to register**. Good cause shall also include acceptance of such employment which, because of circumstances beyond the control of the **household member**, subsequently either does not materialize or results in employment of less than 20 hours a week or weekly earnings of less than the federal minimum wage multiplied by 20 hours;

- g. Leaving a job in connection with patterns of employment in which workers frequently move from one employer to another, such as migrant farm labor or construction work. There may be some circumstances where households will apply for food stamp benefits between jobs, particularly in cases where work may not yet be available at the new job site. Even though employment at the new job site has not actually begun, the quitting of the previous employment shall be considered as with good cause if part of the pattern of that type of employment.
- h. Leaving a job because of other circumstances beyond the member's control, such as, illness, illness of another household member requiring the presence of the person claiming good cause, a household emergency, or the unavailability of transportation.
- i. Employment which is considered unsuitable by not meeting the following criteria:
 - 1) The employment pays less than the federal minimum wage or, if the employment does not fall under federal guidelines, pays less than 80% of the federal minimum wage.
 - 2) The employment is on a piece-rate basis and earnings are expected to be less than the federal minimum wage or, if the employment does not fall under federal guidelines, pays less than 80% of the federal minimum wage.
 - 3) The employment would require joining, resigning from, or refraining from joining any legitimate labor organization.
 - 4) The work offered is at a site subject to a strike or lockout at the time of the offer, unless the strike has been enjoined under the Taft-Hartley Act or an injunction has been issued under Section 10 of the Railway Labor Act.
 - 5) The employment would be hazardous to the registrant's safety and/or health.
 - 6) The registrant is physically or mentally unfit to perform the employment, as documented by a medical statement provided by a physician or licensed or certified psychologist or information from another reliable source.

- 7) Daily travel to and from work will exceed two (2) hours round trip, exclusive of time necessary to transport children to and from a child care facility. Employment will not be considered suitable if the distance to the place of employment prohibits walking and neither public nor private transportation is available to transport persons to the job site.
- 8) Working hours or the nature of the employment would conflict with the registrant's religious convictions, beliefs or observations.

It is the responsibility of the EW to investigate any allegations of employment unsuitability. The case record must contain the facts regarding a determination of unsuitable employment, the date of substantiation and the method of securing the information.

8. Verification

To the extent that the information given by the household is questionable, local agencies shall request verification of the household's statements. The primary responsibility for providing verification rests with the household. If it is difficult or impossible for the household to obtain documentary evidence in a timely manner, the local agency shall offer assistance to the household to obtain the needed verification. Acceptable sources of verification include, but are not limited to, the previous employer, employee associations, union representatives, farmworker service organizations, and grievance committees or organizations. Whenever documentary evidence cannot be obtained, the local agency shall substitute a collateral contact. The local agency is responsible for obtaining verification from acceptable collateral contacts provided by the household.

If the household and the local agency are unable to obtain requested verification from these or other sources because the cause for the quit resulted from circumstances that for good reason cannot be verified, such as a resignation from employment due to discrimination practices or unreasonable demands by an employer or because the employer cannot be located, the household will not be sanctioned.

10/97

VOLUME V, PART VIII, PAGE 19

C. SANCTION PERIODS FOR NONCOMPLIANCE

Individuals or entire households will be barred from receiving food stamps for periods when household members fail to comply with work registration or employment and training programs requirements, or they quit a job or reduce work efforts without good cause. Only the person who fails to comply or who quits or reduces work will be disqualified unless that person is the head of the household. The disqualification procedures of [Part XII.E.](#) must be followed to attribute income and resources to the remaining household members. The entire household will be ineligible for the sanction period for the time listed below if the person who failed to act or who quit or reduced work is the head of household.

The duration of the disqualification period is dependent on the number of times the household member fails to comply. For each act of noncompliance by an individual, the length of the disqualification is increased. Violations by one household member must not be added to actions by another member to determine the sanction period.

The individual or household sanction periods are:

	Work Registration/E & T Participating Households Voluntary Quit/Reduction	Applying Households Voluntary Quit/Reduction
Violation 1	One month	30 days
Violation 2	Three months	90 days
Violation 3 or more	Six months	180 days

For applying households, the penalty period is assessed from the day of the quit or work reduction.

The sanction period must be served before the individual or household regains eligibility except in instances when an individual who causes the action leaves the household **or becomes exempt from work registration and related requirements**. After the sanction period has been served, eligibility may be regained by the individual or household for voluntary quit or work reduction violations. For noncompliance of work registration or employment and training requirements in FSET agencies however, eligibility may be regained at the end of the sanction period only if the individual also complies by completing the registration form or takes E & T actions to the satisfaction of the FSET worker.

See [Part XIII.D.2.](#) for a discussion of proration of benefits for households that reapply before the sanction period expires.